



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 3007581

Applicant: Bob O'Malley of Kohler Associate Architects and Planners PS

Project Address: 2758 Alki Avenue SW

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Application to allow a 2-story structure containing 3,077 square feet of retail at ground level and 2 residential units above. Surface parking for 5 vehicles to be provided and parking for 4 vehicles to be provided in two attached garages (total of 9 parking spaces).

The following approvals are required:

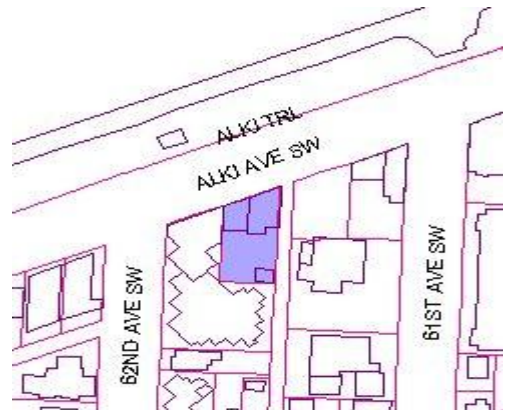
Shoreline Substantial Development Permit – Chapter 23.60 (SMC)

Administrative Design Review - Chapter 23.41, (SMC). Development departure requests for parking size amount, aisle width, landscaping width.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition,
or another agency with jurisdiction.

BACKGROUND INFORMATION:

The site is located at 2758 Alki Avenue SW between 62nd Avenue SW and 61st Avenue SW. There is an alley in this block and the site is located on the alley. Currently there is a combination one and two-story building on the site. The site is somewhat flat.



AREA DEVELOPMENT

The property is zoned Neighborhood Commercial 1 with a 30 foot height limit (NC1-30). There is also an Alki Parking Overlay District at this location. The area is with the Urban Stable (US) Shoreline Overlay. This is the zoning pattern for the lots along Alki within several blocks to the east and west. The lots to the south are zoned residential Lowrise 3 (L3). Alki Beach Park is across Alki Avenue SW. The site is next to an existing mixed use development. There is a tall concrete wall at the property line. The development is proposed to orient the structure and activity to Alki Avenue and help retain a sense of privacy for the neighboring properties.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

SMC Section 23.60.030 provides criteria for review of shoreline substantial development permits. Specifically, this section states that a substantial development permit shall be issued only when the proposed development is consistent with:

- A. The policies and procedures of Chapter 90.58 RCW;*
- B. The regulations of this Chapter; and*
- C. The provisions of Chapter 173-27 WAC.*

Chapter 90.58 of the Revised Code of Washington (RCW) codifies the State's policies with respect to managing shorelines and fostering reasonable and appropriate shoreline uses. Specifically, the Act contemplates protection against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life. The Act further provides definitions and concepts and delegates responsibility for implementation to specific state and local governmental entities. Local governments are given primary responsibility for initiating and administering the regulatory program of the Act. The State Department of Ecology (DOE), on the other hand, is given responsibility for insuring compliance among local governments with the policy of the State and provisions of the Act. Pursuant to the requirements of the Act, the City of Seattle has adopted a local shoreline master program that has been approved by the DOE. The City of Seattle Shoreline Master Program (SSMP) is codified in SMC Chapter 23.60.

In evaluating applications for shoreline substantial development permits the Director must determine that a proposed use meets the criteria set forth in SSMP 23.60.030. Specifically, development standards of the shoreline environment and underlying zone must be considered and a determination must be made as to any special requirements or conditioning that is necessary to preserve or enhance the shoreline area. In order to obtain a shoreline substantial development permit, an applicant must demonstrate that the proposal is consistent with the shoreline policies established in SSMP section 23.60.004. Additionally, the applicant must further demonstrate that the proposal meets the criteria and development standards for the specific shoreline environment in which the site is located, any applicable special approval criteria, general shoreline master program development standards, and the development standards for specific uses.

Shoreline Policies (RCW 90.58 and SSMP 23.60.004)

Policies governing approval of development in shoreline districts are set out in the Land Use Element of the Seattle Comprehensive Plan and SSMP section 23.60.004. The Land Use Element of the Comprehensive Plan details area specific policies and objectives for certain shorelines within the City.

Policies geared towards this area include encouraging a diversity of uses in the area. Generally, the scope and purpose of the proposed project will complement the mix of uses in the vicinity. Moreover, the siting and design of the project will enhance, to the extent possible for an upland lot, the recreational bay front atmosphere of portions of Alki Avenue Southwest.

SSMP Section 23.60.004 references SSMP Section 23.60.220, which establishes shoreline environments for the Master Program and specifies their purpose and location criteria. The proposed project will be partially located in an Urban Stable (US) shoreline environment.

The purpose of the US environment as stated in SSMP Section 23.60.220.C.7 is to “provide opportunities for substantial numbers of people to enjoy the shorelines by encouraging water-dependent recreational uses and by permitting non-water dependent commercial uses if they provide substantial public access and other public benefits.” The SSMP goes on to stipulate that views of the water from adjacent streets and upland residential areas should also be preserved.

Siting and design of the proposed structure partially within the US environment will further the purposes of the environment. Specifically, the proposal site is located on an upland lot and has incorporated design elements to support the public’s experience of the shoreline environment at this location. These elements include an outdoor plaza at the street level and development of the Alki Avenue facade to reinforce the active atmosphere along Alki Avenue as a promenade.

Development Standards for the US Environment (SSMP Sub ch. XI)

Allowable uses and applicable development standards for the US environment are established in Subchapter XI of the SSMP. These subchapters identify personal and household retail sales and service as uses permitted outright on upland lots in the US environment. As proposed, development on the site will comply with all applicable development standards set out in the subchapter.

General Development Standards for All Uses (23.60.152 SSMP)

General standards for all uses and development in all shoreline environments are established in SSMP section 23.60.152. These standards require that all shoreline activity be designed, constructed, and operated in an environmentally sound manner consistent with the Shoreline Master Program and with best management practices for the specific use or activity, in order to have minimal impact on the shoreline. The proposed project’s design is consistent with the requirements of this section. To ensure that these standards are conformed to, the proponent will be required to notify contractors and subcontractors of these requirements as conditioned below.

Procedures for Administration of the Shoreline Management Act (WAC 173-27)

Pursuant to the language and intent of RCW 90.58, WAC 173-27 establishes basic rules for the permit system to be adopted by local government. It provides the framework for permits to be administered by local governments including time requirements for permits, revisions to permits, notice of application, formats for permits, and provisions for review by the State DOE. Because DOE has approved the Seattle Shoreline Master Program, consistency with the criteria and procedures prescribed by SMC Chapter 23.60 is also considered consistency with the WAC 173-27 and RCW 90.58.

Summary

The proposed development will be consistent with the policies and procedures of RCW 90.58, WAC 173-27, and Chapter 23.60 SMC also known as the Seattle Shoreline Master Program (SSMP). As conditioned, the development will have no adverse effect on the shoreline, the near shore environment, or the waters of Elliot Bay.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The proposed action is **CONDITIONALLY GRANTED**. Shoreline Substantial Development conditions follow the SEPA Analysis towards the end of this decision.

The following Early Design Guidance was provided by the Design Review Board. The project was revised before the MUP submittal and did not require further Board review. The applicant requested a voluntary Administrative Design Process (SMC 23.41.016).

EARLY DESIGN GUIDANCE

Architect's presentation

The architect made the presentation to the Board. The intent is to design a two story mixed use building with a restaurant on the ground floor and office space above (since revised for residential space). The architect presented the design schemes after orienting the Board to the site. The site is located on the corner of an alley and Alki Avenue SW. The site is within the urban stable shoreline environment. There is a mixed use development to the west with a concrete wall at the property line. One goal of the project is to successfully address the alley with the building façade possibly wrapping around to the alley. It appears that the best solution for parking is to have the surface parking access off of the alley. About 11 parking stalls are anticipated.

Three schemes were presented. Scheme A located the restaurant close to the sidewalk with glazing wrapped around as part of the alley façade. There are exterior stairs to the second floor office. This scheme does not block windows of the apartments on the west property line and has easy surface parking to the rear off the alley.

Scheme B moves the building mass to the south of the site and creates a large second story deck on the Alki façade. The large deck would be part of the office use and is not the preferred use for this proposal.

Scheme C moves the building massing even further to the south away from the Alki sidewalk. This proposal also has a large second story deck. The surface parking becomes partially covered in this scheme. The neighboring windows are blocked in scheme B and C.

All alternatives show a sidewalk café along Alki Avenue. Concept A is the preferred scheme. Further explorations show operable windows and a small deck at 10-12 feet at the second floor level. The railing is proposed to be glazed with a brise-soleil. The restaurant entry would be on the west end of the building along Alki. An awning on the sidewalk would provide overhead weather protection. A roll up door could help move the sidewalk and café feeling into the ground floor. The building materials could include concrete block, glaze, metal and wood. The alley façade would have a two story face of windows for a least two structural bays.

No departures are anticipated at this point. (See below for revision, departures)

BOARD QUESTIONS

The Board asked questions about the parking garage configuration and access. They asked about the proposed materials and details of the Alki façade. They asked about the office entry and the building treatment of the both the entry and the corner location. They asked about the alley façade, landscaping, screening and decks.

PUBLIC COMMENTS

Two members of the public were present. One commented that concept A, which preserves the low building profile and the low walls, is preferable.

BOARD DELIBERATIONS

The Board shared initial reactions including positive remarks on the building massing, siting, window glazing, position on the site, open air concepts, materials and treatment of the façade on the alley. In general the Board wanted the applicant to “stay the course” on the design concepts and proposed execution.

DESIGN GUIDELINES.

A Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board applauds the proposal as concrete evidence of the direction in which they would like to see this proposal continue into design development. The proposal is responding to site characteristics and streetscape of Alki. The opportunities for human activity will be enhanced by this proposals outcome and the treatment of the corner at the alley is presented as proper for the direction.

C Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The Board liked the initial parti of working with positive Alki elements of openness, activity quality building materials and restrained detailing.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The concepts as presented should be developed for the next meeting.

C-4 Exterior Finish Materials.

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board would like to see quality materials for this project. Materials or material boards should be presented at the next design review meeting. Discussion at the meeting included material of glass, concrete wood and metal. The Board suggested more of the same as presented in the initial drawings.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

The Board asked that the pedestrian open space be well-detailed with quality materials, good lighting and restrained treatment of high interest and eye-catching elements.

The applicant applied for a Master Use Permit on February 18, 2009. The project was significantly changed so that it did not reach the thresholds for SEPA review or Board Design Review. The application is now for retail and residential uses. The project applicants requested an Administrative Design review process to seek relief from a couple of development standards. The following Master Use Permit review was thus undertaken through the Administrative Design Review process.

	development standards	required	proposed	departure amount	design priority guidelines
1	23.54.030 B (2) a non-residential parking space requirements	When 10 or fewer stalls are reqd. minimum 75% shall be striped for large. total 4 stalls required .75 (4) = 3 large	1 large 2 medium 2 small	provide 2 medium stalls in lieu of 2 large stalls	On this small site providing 16 ft. long medium length stalls in lieu of large stalls allows the building to more efficiently support pedestrian activity on the street in lieu of strictly providing site area for large stall parking.
2	2.54.030 E (1) parking aisle for large stall	large stall requires 24ft wide parking aisle	propose 22ft wide parking aisle	provide 22ft aisle for medium stalls per exhibit 23.54.030 d in lieu of 24ft aisle	22 ft. wide parking aisle helps to balance the site area for automobiles with the area dedicated to supporting human activity from the street.
3	23.47A.016 D (1) c (2)	surface parking abutting residential zone must have 6ft height screening and 5ft deep landscape area inside the screening	propose reducing depth of landscape area at the (1) large stall to 2ft deep	Provide 2ft deep landscaping at (1) large stall in lieu of 5ft deep for 16.5 linear feet.	A tree is provided at the 9'-4" deep landscape area adjacent to the alley. This will help to offset the reduced landscape width at the large stall and will improve the pedestrian experience of the alley.

ANALYSIS and DISCUSSION– Design Review

The departure requests are related to managing the code required parking on the site, vehicle maneuverability, and landscape at surface parking. The proposal incorporates important pedestrian environment features in the outdoor seating and building forms that have modulation, varied forms and transparency. In order to create the pedestrian environment the building is eased back from the front property line (D-1). This small move begins to pinch the rear parking area, but slightly. The departures requested are for parking size, aisle width, and relief for 16 ½ feet of five foot wide landscaping. The landscaping width for that short distance would be 2 feet with full and striving landscaping.

All three departure requests (all parking stall related) relate to the following priority design departures. The requests respond to site characteristics (A-1) by locating the parking to the rear of the site while still providing a reasonable restaurant outdoor seating area on Alki and restaurant/commercial use on the streetscape (A-2). The building is located on a corner of an alley and Alki Avenue. The building forms respond to the corner lot by wrapping the building forms around the corner and locating the parking at the rear of the site (A-10).

The project proposal responds to the building location and parking location with an architectural context (C-1) that reinforces a positive building form at the Alki Street wall as well as enough fenestration to provide transparency for the commercial and residential components. The architectural context is appropriate to fit in with existing Alki buildings, new and old and to address the alley. Parking is best suited to be to the rear of the site as the local context is buildings-on-the-Alki-sidewalk with little to no parking on the sites.

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, DPD feels that separately, and as a whole, the departures requested help the project better meet the priority guidelines and additionally that all of the guidance the architect received has been successfully addressed. After examining the site, the neighborhood context, proposed architectural massing and facades, open space, and materials the Department supports the departures and **approves** the design.

Additional Information regarding any future changes to the design and compliance with approved plans:

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Holly Godard 206-615-1254). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.
4. Contact the planner Holly J. Godard (615-1254) three days in advance of the Preconstruction meeting to schedule the time and place of the meeting to discuss adherence to the project design review requirements as demonstrated on the official plans on file with DPD.

CONDITIONS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Prior to issuance of the building permit

1. The proponent shall notify the chosen contractor of the general development standards and best management practices set out in Seattle Shoreline Management Program Section 23.60.152.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

2. Landscaping shall be hardy and attractive with low maintenance and low water usage choices. Use native plants as much as possible.

Signature: _____ (signature on file) Date: August 3, 2009

Holly J. Godard, Land Use Planner
Department of Planning and Development

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